IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Con.Case(C).No. 377 of 2007(S)

AGAINST THE JUDGEMENT IN WPC.24297/2006 Dated 15/12/2006

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PETITIONER

DANDAPANI CHETTIAR, S/O.VENKITAN
CHETTIAR, AGED 74 YEARS, "SUMANGALI",
VANIYAKULAM, OTTAPPALAM TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENTS:

SHRI.KRISHNANUNNI, (AGE & FATHER'S
NAME NOT KNOWN TO THE PETITIONER), GENERAL
MANAGER, OTTAPPALAM CO-OPERATIVE URBAN BANK LTD.,
OTTAPALAM, PALAKKAD DISTRICT.

BY ADV. SRI.M.V.BOSE

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M. JAMES, J.

Contempt Case (C) No. 377 OF 2007

Dated this the 13th April, 2007.

J U D G M E N T

Heard both sides. The grievance of the petitioner is that the direction contained in the judgment, dated 15.12.2006, had not been complied with, and Annexure-A5, dated 19.3.2007, had been issued to the petitioner, after the filing of the contempt petition, and issuance of notice thereon.

2. Without entering into any discussion on the elaborate facts that are submitted by either side, I set aside Annexure-A5, dated 19.3.2007. I direct the respondent, General Manager, Ottappalam Co-operative Urban Bank Ltd, to hear the petitioner on 20.4.2007, on which date the petitioner shall appear before him, fix the amount due from the petitioner to the Bank, as per the order of the Co-operative Tribunal, dated 29.11.2005, in R.P.No.33/2004.

3. The petitioner shall pay 10% of the amount so arrived at, calculating as above, on or before 30.4.2007. The balance amount shall be paid in ten equal monthly instalments, starting from 1.6.2007. The subsequent instalments shall be paid accordingly.

4. In case of any consecutive default of payment of two instalments, the Bank is entitled to realise the amount from the petitioner, as per the law.

The contempt of court case is closed as above.

J.M. JAMES,
JUDGE

nj.